

Express Mail Label No. EV392156897US  
Date of Deposit September 24, 2004

Attorney Docket No. 25669-020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Smith and Taubman  
SERIAL NUMBER : 10/797,821 EXAMINER : Not Yet Assigned  
FILING DATE : March 9, 2004 ART UNIT : 1646  
FOR : Glucan Binding Protein and Glucosyltransferase Immunogens

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Response to Notice to File Missing Parts (1 pg.);
- ☒ Copy of Notice to File Missing Parts (2 pgs.);
- ☒ Petition for Extension of Time (1 pg);
- ☒ Check # 19377 in the amount of \$120.00; and
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. No addition fees are due, however, the Commissioner is requested to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 25669-020.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306  
Attorneys for Applicant  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Dated: September 24, 2004

**CUSTOMER NO. 30623**



Express Mail Label No. EV392156897US  
Date of Deposit September 24, 2004

Attorney Docket No. 25669-020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Smith and Taubman  
SERIAL NUMBER : 10/797,821 EXAMINER : Not Yet Assigned  
FILING DATE : March 9, 2004 ART UNIT : 1646  
FOR : Glucan Binding Protein and Glucosyltransferase Immunogens

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

This is in response to the Notice to File Missing Parts mailed on July 12, 2004. Applicants submit herein a Combined Declaration and Power of Attorney document, a copy of the Notice to File Missing Parts, a Petition for Extension of Time and a check for \$120.00 in payment of the surcharge for filing a late Declaration and the Petition for Extension of Time. With the extension, the response is due on or before October 12, 2004. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.25669-020.

Respectfully submitted,

Dated: September 24, 2004

  
Ingrid A. Beattie, Reg. No. 42,306  
Attorneys for Applicants  
c/o MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY & POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

IFW ✓

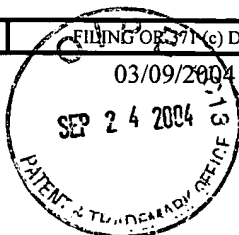


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 37(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/797,821	03/09/2004	Daniel J. Smith	25669-020

Mintz, Levin, Cohn, Ferris,  
 Glovsky and Popeo, P.C.  
 One Financial Center  
 Boston, MA 02111



CONFIRMATION NO. 6049

## FORMALITIES LETTER



\*OC000000013213286\*

Date Mailed: 07/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

09/27/2004 BSAYAS11 00000056 10797821

01 FC:2051

65.00 0P

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

B.H.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE